SINGLE BENCH (C)

C.A. 100

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P. No. 1739 / 2005

PETITIONER : Brijesh Kumar Bajpai, S/o P.K. Bajpai, Aged 39 years, In-charge Block Education Officer (BEO), Bhanupratappur, R/o H-12, Civil Lines, Bhanu Pratappur, District- Kanker (C.G.)

Versus

RESPONDENTS :

1) State of Chhattisgarh, Through the Secretary, School Education Department, D.K.S. Bhawan, Raipur (C.G.)

2) The Secretary, Trible Welfare Department, D.K.S. Bhawan, Raipur (C.G.)

3) The Collector, Kanker, District-Kanker (CG)

P.R. No. 1734/05 Presented by Shri ... dated 19.04.05

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(54)

आदेश पत्रक

मामला क्रमांक ...W.P.1739/ **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	3-5-2005 Mr. P. Diwaker, Senior Advocate with Mr. Kashif Shakeel, Advocate for the petitioner. Mr. Akhil Agrawal, Panel Lawyer for the State/respondents. Heard both the counsel. The petitioner is working as In-charge Block Education Officer, Bhanupratappur. He joined on that post on 9-12-2003. The case of the petitioner is that as per Annexure P-5 certain enquiries were conducted by the Special Enquiry Committee and that Committee found that certain irregularities were committed in purchases, and Block Resources Coordinator, Block Development Officers were found prima facie involved in the same. Accordingly, a decision has been taken to suspend five categories of persons mentioned in Annexure P-5 and at Serial No.5 Block Education Officer, Bhanupratappur, has also been named. Learned Senior Counsel for the petitioner submits that even though the petitioner was not working when these purchases were made and he joined on the post after these purchases were made, therefore, the petitioner was not involved in the said purchases, even then the petitioner has apprehension that he will be placed under suspension in pursuance of order dated 29-3-2005. In fact, this is a petition filed in anticipation of the apprehension of suspension. When the case of the petitioner is that he was not	

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(45)

आदेश पत्रक

मामला क्रमांक WPC 1739/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

working as Block Education Officer, Bhanupratappur when the irregularities took place in the purchases, then how the petitioner can be suspended. This is merely an apprehension of the petitioner. If he was not working on the post of Block Education Officer, Bhanupratappur, when the irreguiar purchases were made, then there is no likelihood of the suspension, and for that purpose the petitioner is entitled to make a representation before the appropriate authority bringing to their notice the fact that when the irregularities in purchases were committed he was not working as Block Education Officer, Bhanupratappur.

In view of the above, the petition is premature, therefore, it cannot be entertained at this stage, and the same is dismissed.

Consequently, M.(W.)P.No.1360/2005 and I.A.No.3351/2005 stand disposed of.

Sd/-
L.C. Bhadoo
Judge

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